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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Case No.: 2:15-cv-01688-LDG-NJK

**STIPULATION AND ORDER TO
TEMPORARILY STAY CASE
PENDING SETTLEMENT**

First Request

UNITED STATES OF AMERICA, ex rel.
NORMA ARIAS BENITEZ, Relatrix; and
NORMA ARIAS BENITEZ,

Plaintiffs,

vs.

GALLIANO, LLC and GOLDEN RIVER
INVESTMENTS, LLC d/b/a GOLDEN
RIVER REALTY,

Defendants.

GOLDEN RIVER INVESTMENTS, LLC,

Counterclaimant,

vs.

NORMA ARIAS BENITEZ,

Counter-Defendant.

The undersigned parties, by and through their respective attorneys of record, stipulate and request a stay of proceedings based on progress made in settlement discussions:

1. This matter involves False Claims Act Complaint filed by Plaintiff on or about September 2, 2015 [ECF No. 6].

2. On June 10, 2016, Plaintiff filed an Amended Complaint [ECF No. 39] adding claims for violation of NRS 118A et seq.

3. On June 19, 2016, Defendant, Golden River filed a Counterclaim [ECF No. 40].

4. Following close of discovery, and based upon cross motions for summary judgment and dismissal filed by the undersigned parties, the Court entered partial summary judgment on Plaintiff's claim for violation of false claims act and Defendant Golden River's counterclaims for breach of implied covenant and unjust enrichment. [ECF Nos. 66, 68].

5. A Joint Pretrial Order was filed on March 30, 2018 [ECF No. 78].

9 6. On August 10, 2018, Golden River filed its Motion for Relief from Judgment,
10 which is currently pending a decision [ECF No. 83].

11 7. The undersigned parties are engaged in settlement discussions to resolve all
12 pending claims asserted in this action, and are hopeful that a resolution may be had, in lieu of
13 further motion practice and/or proceeding to trial.

14 8. The parties agree that if a decision is rendered on Golden River/Galliano's
15 Motion for Relief from Judgment, it would significantly delay and/or derail the progress made
16 by the parties in their efforts to resolve all pending claims.

17 9. The parties, thus, stipulate to stay this case, including the Court's issuance of a
18 decision on Golden River/Galliano's Motion for Relief from Judgment, for parties to devote
19 their resources to resolving this action.

20 10. In the event that settlement fails, then parties will jointly file a notice to lift the
21 stay.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED that all proceedings in this action are stayed pending further settlement discussions between the parties;

IT IS FURTHER STIPULATED AND AGREED that if a settlement is reached, the parties will file a stipulation for dismissal or resolution of all pending claims in this action; and

IT IS FURTHER STIPULATED AND AGREED that if settlement discussions fail,

1 parties will jointly file a Notice indicating that no settlement has been reached. Upon filing of
2 said notice, all proceedings in this action shall be reinstated.

3 **IT IS FURTHER STIPULATED AND AGREED** that regardless of parties' progress
4 made in settling this action, parties shall jointly file a Status Report within 90 days from the
5 entry of Order approving this Stipulation.

6 **IT IS SO STIPULATED.**

7 **WRIGHT, FINLAY & ZAK, LLP**

NEVADA LEGAL SERVICES, INC.

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23 **ORDER**

24 **IT IS SO ORDERED.**


25 UNITED STATES DISTRICT COURT JUDGE
26 DATED: Feb 11, 2019